

**ANDOVER CONSERVATION COMMISSION MEETING MINUTES**  
**August 13, 2012**

Town of Andover  
36 Bartlett Street  
2<sup>nd</sup> Floor Conference Room  
7:45pm

**Commission Members in Attendance:**

Chairman Donald Cooper, Commissioner Alix Driscoll, Commissioner Fran Fink and Commissioner Kevin Porter. Staff Member present was Robert Douglas, Director of Conservation.

**SCHEDULED ITEMS:**

**Merrimack College**

**Present in Interest:** Bob Coppola, Kristin Kent, Jeff Koetteritz, Feline Schwarz, Chris Huntress, and Erica Uriarte

*Staff Recommendation: Close Public Hearing and Issue Order of Conditions.*

Continued Public Hearing on a Notice of Intent filed by Merrimack College under the Massachusetts Wetlands Protection Act and/or the Andover Wetlands Protection By-Laws for the proposed demolition of two existing buildings and construction of six new student residence buildings.

Mr. Douglas presented this to the Commission. Since the original application, one of the residence buildings and a rain garden has been removed. No demolition of any buildings will occur. The project involves the construction of 5 student dormitories, a portion of which falls within the 100 foot buffer of a BVW. The project has undergone an extensive review by ESS group, who is satisfied with the most recent revision; stating it complies with Stormwater regulations and the Wetland Protection Act. ESS conducted the peer review, the Applicant made changes addressed in the report from ESS. The second letter from ESS documents the modifications.

The project is in an area that is previously and historically disturbed and comprised of fill, glacial till and likely bedrock. It is a lawned upland. The resource areas are across the street, and no work is proposed to be done in those areas. Erosion controls meeting with the town's standards will be installed. Our primary concern is the treatment of the stormwater. Site walks have been completed.

Chairman Cooper informed the Commission that the project, once accounted for in the Master Plan tally, leaves 44.3 cfs "in the bank". Jeff Koetteritz provided a chart of the calculations and confirmed there was a net change of 4.4 cfs. Commissioner Driscoll inquired as to how a positive in peak flow was

obtained. It was obtained by removal of impervious area. Commissioner Porter stated while on a site visit, it was mentioned that Merrimack College would be tying into the existing water line. That work will be within the 100 foot buffer, and will create a loop system between the 2 wetland areas. Commissioner Porter mentioned the ground water being high in that area and asked if there would be an increase in infiltration. Jeff Koetteritz responded by informing the Commission that DEP requested Merrimack College to replicate the existing infiltration which has been done. Town of Andover is requiring additional infiltration which cannot be met.

Commissioner Fink raised the question regarding the seasonal high water table. The boring holes were done in mid June, however June is not the season the time to determine the seasonal high water table. Holes 223 and 224 do not support the 2 feet above the water table requirement. Commissioner Fink suggested the hole be redrilled deeper in the infiltration beds and the redesign the project accordingly. The storage volume in the chambers are used in the calculations for stormwater. The flow is away from the buildings. 2,493 cubic feet is required and 1,266 cubic feet is being provided, as such they cannot meet the Andover requirement, but the DEP requirement of 1,138 square feet is met. Jeff Koetteritz informed the Commission that the outflow pipe is below the intake pipe, but there is 6 inches in stone below the outflow pipe for infiltration. Commissioner Fink noted 2 pipes, 1 flowing into a wetland and the other into Rock Ridge Road. There is a third pipe going to the Elm Street basin. Will these pipes have water quality treatment? A new storm captor added to the Rock Ridge system. Jeff Koetteritz explained that the Fox Hill Road discharges into Berry Brook and the discharge will be less, but the Elm Street basin drains into Berry Brook as well so the brook will not dry up.

Commissioner Fink inquired if the area drains for landscaped areas around the buildings would reduce the water infiltration. There is an ADA requirement of an 8 inch separation which is the cause of the area drains.

Chris Huntress added that there is only 4 feet between the buildings and plant beds, which is not enough area with the buildings and walkways to divert the water to the lawn areas. He also informed the Commission that the project has been scaled back and they are trying not to disturb the area around the existing buildings.

Deep hole tests were discussed next. Erica Uriarte of ESS Group stated that deep hole tests were required by DEP to determine the seasonal high water table. Mr. Douglas added that it could be procedurally written in that the deep test pits be performed and any deviation would have to be addressed prior to construction. Chairman Cooper agreed that deep hole sites need to be observed.

Commissioner Fink stated if the 2 foot separation is not met, then the project is not approvable. Jeff Koetteritz explained that the project met the practicable standard of "Maximum Extent Practicable", meet to the best ability, for this redevelopment. Commissioner Fink believed this to be a new development, so it must meet the DEP requirement. There is no clear line where redevelopment and new development are separated. Under DEP regulations, any project with a C soil can use the practicable standard of "Maximum Extent Practicable" and the entire area for this project is C soil.

Commissioner Porter asked if the recharge is not meeting the 2 feet of separation requirement, was this taken into consideration during the calculations. The calculations do include the runoff.

An additional storm captor can be re-evaluated to accommodate O'Brien Hall roof runoff, sidewalk runoff, lawn area runoff and runoff from Walsh Way. Erica Uriarte informed the Commission that there are deep sump basins in Walsh Way which would eliminate the need for additional storm ceptors because no dirty runoff is being added.

The Commission agreed that deep drill holes need to be done to determine the seasonal high water table. Chairman Cooper stated that the Applicants can determine when to drill the holes. If they choose to drill the holes at a later date, compensations will need to be made in the calculations and stormwater runoff and make changes to the proposed plan if the results are different than the previous drill holes. They must come back before the Commission if the plan and calculations change. This will be added as a condition of the Approval.

Commissioner Fink is concerned that the new holes may show the infiltration will not work and would like the buildings moved to higher ground with the roof runoff infiltrated to get the credit for this infiltration.

Chris Huntress informed the Commission that the original boring holes were done for building support, not for season high water table determination. He agreed to adding the condition regarding the deep hole tests as conditions of the Approval.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to close the Public Hearing for the Notice of Intent regarding the student residences, it was seconded by Commissioner Porter and unanimously approved.

Commissioner Driscoll made a Motion the Close the Public Hearing on the Amended Order of Conditions, it was seconded by Commissioner Porter and unanimously approved.

## **ROLLING GREEN**

Discussion regarding access to acquired conservation property. Andy Minasian found a pathway to Greenbelt Property through access off of a right of way along 12 Greenwood Road. He recommended having the ZBA open the access through the easement. The property owner has a 50 foot right of way in the easement. The property owner does not own the easement, but has a deeded right of way. If the easement is assignable, he could assign it and if not, we could bring in access through Lowell Street with a trail easement.

Chairman Cooper asked for a Motion. Commissioner Fink made a Motion to send comments to the ZBA regarding deeded open space parcel being accessible to the public from Greenwood Road or Lowell Street with the Comments being as follows "Deeded Open Space must provide upland access from public road by permanent easement. Conservation Commission to be deeded to be configured so that

permanent easement from Lowell Street or Greenwood Road can be provided". Commissioner Porter seconded the Motion and it was unanimously approved.

Commissioner Fink agreed to mark up the existing Plan for Conservation Commission requests and trails.

The Meeting was adjourned at 8:55pm by a Motion of Commissioner Porter, seconded by Commissioner Driscoll and unanimously approved.

Respectfully submitted by,  
Lynn Viselli,  
Recording Secretary